

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT HRUSOVSKY
Petitioner,

v.

PAUL J. STOWITZSKYN and THE
ATTORNEY GENERAL OF
PENNSYLVANIA

Respondents.

CIVIL ACTION

NO. 07-4295

08-147
FILED

DEC 18 2008

MICHAEL E. KONZ, CLERK

By

ORDER

AND NOW, this 17th day of December, 2008, upon consideration of the Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 filed by petitioner, Robert Hrusovsky (Document No. 1), and the record in this case, and the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated November 24, 2008, no objections having been filed, **IT IS ORDERED** as follows:

1. Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated November 24, 2008, is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 filed by petitioner, Robert Hrusovsky, is **DISMISSED**; and,
3. A certificate of appealability will not issue because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right or this Court's procedural rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

Jane E. Dubois
JAN E. DUBOIS, J.

12/18/08 mailed / certified
Hrusovsky